

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

NOE LEINHEISER,	:	
	:	
Plaintiff,	:	Civ. No. 20-4380 (RBK) (AMD)
	:	
v.	:	
	:	
LT. W. DECKER, et al.,	:	<b>MEMORANDUM &amp; ORDER</b>
	:	
Defendants.	:	
	:	

Plaintiff, Noe Leinheiser (“Plaintiff” or “Leinheiser”), is a federal prisoner proceeding *pro se* with a civil complaint. (*See* ECF 1). Defendants have filed a motion to dismiss the complaint. (*See* ECF 26). On July 31, 2023, this Court ordered Plaintiff to file a response to Defendants’ motion to dismiss within thirty days. (*See* ECF 29). Subsequently, Plaintiff filed a motion for a ninety-day extension of time to file a response to the motion to dismiss. (*See* ECF 31). Plaintiff’s motion will be granted in part. While this Court recognizes that Plaintiff is incarcerated, granting Plaintiff an additional ninety days on top of the additional time this Court previously gave Plaintiff to file his response is excessive. Plaintiff shall be given sixty days from the date of this order in which to file his response to the motion to dismiss.

Accordingly, IT IS on this 1<sup>st</sup> day of September, 2023,

ORDERED that Plaintiff’s motion for an extension of time in which to file a response to the Defendants’ motion to dismiss (ECF 31) is granted in part; Plaintiff shall have sixty (60) days from the date of this order in which to file a response to Defendants’ motion to dismiss; and it is further

ORDERED that Defendants may file a reply brief in support of their motion to dismiss within ten (10) days from when Plaintiff files his response; and it is further

ORDERED that the Clerk shall serve this order on Plaintiff by regular U.S. mail.

s/ Robert B. Kugler  
ROBERT B. KUGLER  
United States District Judge